

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

REMARKS

Applicants appreciate the indication that additional claims recite allowable subject matter. In particular, Applicants appreciate the new indication that claims 15, 21, 23, 24, 29-31 and 41-44 are considered to recite allowable subject matter.

Applicants respectfully request reconsideration of the remaining prior art rejections for the below-mentioned compelling reasons. The undersigned is available at any time for a telephone consultation if desired by the Examiner.

Applicants have added new claims 45-47 which are supported at least by the teachings of Figs. 3-4 and related specification teachings of the originally-filed application.

Claims 1-3, 8, 9, 11-16, 18-20, 28 and 32-40 stand rejected under 35 U.S.C. 102(b) for anticipation by U.S. Patent No. 6,876,294 to Regan. Claim 3 stands rejected under 35 U.S.C. 103(a) for obviousness over Regan in view of U.S. Patent No. 6,927,692 to Petrinovic. Claims 10 and 27 stand rejected under 35 U.S.C. 103(a) for obviousness over Regan in view of U.S. Patent No. 6,958,678 to Hohberger et al.

Applicants respectfully request reconsideration of the rejections.

Referring to independent claim 1, the method recites *providing identification information regarding a group of wireless identification devices within a wireless communications range of a reader*. The Office relies upon the teachings of col. 3, lines 30-32 and 41-55 as allegedly teaching the above-recited limitations. In particular, the Office relies upon teachings regarding a value a tag has in its field which controls which time slot the transponder transmits a response in. Applicants respectfully submit that

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

the value which controls which slot the response is transmitted in is void of teaching *identification information* as claimed.

In addition, the value stored in the field is particular to the individual tag in which the value is stored (by controlling the slot in which the tag transmits a response) and fails to teach or suggest *identification information regarding a group of wireless identification devices* as explicitly claimed.

Applicants respectfully request reconsideration of the rejection of claim 1 for at least the above-mentioned reason.

The Office, at page 5 of the Action, relies upon the IDRQ and TREE messages as teaching different search procedures. However, Applicants have failed to uncover that identification information regarding the group of wireless identification devices is used to select the IDRQ or TREE messages in the teachings of Regan. Applicants respectfully submit the above-recited limitations of *selecting one of a plurality of different search procedures* (for identifying unidentified ones of the wireless identification devices within the wireless communications range) using the provided identification information regarding the group of wireless identification devices are not disclosed by the prior art.

Applicants respectfully request reconsideration of the rejection of claim 1 for at least the above-mentioned reason.

At pages 2-3 of the Action, the Office relies upon the teachings of col. 3, lines 51+ of Regan as teaching the selecting limitations. However, Applicants respectfully submit that the operations of col. 3, lines 51+ of Regan are operations of a single procedure which has already been initiated and used to locate devices. In particular, the operations relied upon by the Office are performed when interrogation device 2 is

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

implementing the preferred sequence of operations to identify transponders per col. 3, line 40. Accordingly, the teachings relied upon as disclosing the selecting one of the search procedures are teachings after the search procedure of Fig. 2 of Regan has already been initiated and is void of disclosing or suggesting teachings of how the sequence of operations of Fig. 2 is selected or that a search procedure in addition to Fig. 2 exists. The operations of the single sequence of operations of Fig. 2 to identify tags fails to teach or suggest *plural different search procedures for identifying unidentified ones of the wireless identification devices, selection of one of a plurality of different search procedures* or the claimed *selecting using the provided identification information regarding the group of wireless identification devices* as explicitly claimed.

The Office relies upon the IDRQ and TREE messages as allegedly teaching different search procedures. However, Applicants respectfully submit that the communication of a TREE message may be fairly interpreted to teach a search procedure since Applicants have failed to uncover any teachings that tags are identified in response to the communication of the TREE messages. Applicants have failed to uncover any disclosure in Regan that the response signal 26 of a TREE message includes identification information. To the contrary, Applicants respectfully submit that Regan discloses at col. 4, lines 10 tags responding to an IDRQ message and Applicants have failed to uncover any other step of the method of Fig. 2 including the use of the TREE messages where the transponders are identified. Accordingly, Applicants respectfully submit that the method of Fig. 2 only teaches one search procedure and fails to teach the above-recited limitations.

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

Referring to additional specific TREE teachings, Regan discloses at col. 3, lines 52+ that the interrogator 2 communicates a TREE message in response to which any unidentified transmitter having that value in its first field will transmit a response signal 26. *Applicants have failed to uncover any disclosure in Regan that the response signal 26 includes identification information.* To the contrary, the teachings of col. 3, lines 60+ teach that the unique identify code of the transponders is transmitted in response to the IDRQ message 30.

Applicants respectfully submit that positively recited limitations of claim 1 including *using the provided identification information, selecting one of a plurality of different search procedures for identifying unidentified ones of the wireless identification devices within the wireless communications range* are not disclosed nor suggested by Regan and the 102 rejection is improper for this compelling reason. Applicants respectfully request allowance of claim 1 in the next Action.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to dependent claim 2, Applicants have failed to uncover any teachings in col. 5, lines 26+ of Regan of the claimed *providing the identification information comprises determining a range of identifiers of the wireless identification devices which may be within the wireless communications range as explicitly claimed.* Applicants have electronically searched Regan and failed to uncover any teaching of the limitations

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

of determining a range of identifiers of the devices alone or in combination with the limitations of claim.

The Office at page 15 of the Action states that Regan's teachings of a response with significant digits reads on the claimed limitation of identifiers. Claim 2 depends from claim 1 and recites that the *determining of the range of identifiers of the wireless identification devices is used to select one of the different search procedures* when properly read in combination with the limitations of claim 1. Applicants respectfully submit that the teachings of col. 5, lines 26+ of Regan relied upon by the Office fail to teach or suggest the above-recited limitations including use of a determined range of identifiers to select one of plural search procedures.

Applicants respectfully request reconsideration of the rejection of claim 2 in the next Action for at least the above-mentioned reasons.

Referring to independent claim 12, the method recites *selecting one of a plurality of different search procedures using the identifyings of the first and the second of the wireless identification devices*. The Office relies upon the IDRQ and TREE messages as allegedly teaching different search procedures. However, Applicants respectfully submit that the communication of a TREE message may be fairly interpreted to teach a search procedure since Applicants have failed to uncover any teachings that tags are identified in response to the communication of the TREE messages. Applicants have failed to uncover any disclosure in Regan that the response signal 26 of a TREE message includes identification information. To the contrary, Applicants respectfully submit that Regan teaches tags responding to an IDRQ message and Applicants have failed to uncover any other step of the method of Fig. 2 where the transponders are

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

identified. Accordingly, Applicants respectfully submit that the method of Fig. 2 only teaches one search procedure and fails to teach the above-recited limitations.

Applicants respectfully request reconsideration of the rejection for at least the above-mentioned reasons.

The claims which depend from independent claim 12 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants respectfully request reconsideration of the rejection of claim 13. In particular, the Office relies upon the identifier teachings of col. 4, lines 65+ of Regan in support of the rejection. Applicants respectfully submit that the generic identifier teachings of Regan at cols. 4-5 relied upon by the Office fail to teach or suggest the positively claimed limitations of claim 13 (when read in combination with claim 12) reciting selecting one of a plurality of different search procedures using the identifying of the first and second wireless identification devices having respective ones of a minimum identifier and a maximum identifier.

Applicants respectfully request reconsideration of the rejection for at least the above-mentioned reasons.

Referring to independent claim 18, the Office relies upon the teachings of the prior art of receiving a value held by a transponder in a first or second field as teaching the providings of first and second identification information regarding the first group and the second group. Applicants respectfully submit that the teachings relied upon by the Office refer to providing information regarding *individual transponders* and fail to teach

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

or suggest the claimed limitations of *providing first and second identification information regarding the first group and second group of wireless identification devices or first and second selecting one and an other of a plurality of different search procedures using the first and second identification information regarding the first and second groups as explicitly claimed.*

Applicants respectfully request reconsideration of the rejections for at least the above-mentioned reasons.

Furthermore, Applicants respectfully submit that Regan teaches a single search using an IDRQ message to identify the transponders. The use of the single search fails to teach or suggest the positively-recited limitations of *first selecting one of a plurality of different search procedures for identifying the wireless identification devices of the first group, identifying unidentified ones of the wireless identification devices of the first group using the selected one of the search procedures, second selecting an other of the different search procedures using the second identification information, and identifying unidentified ones of the wireless identification devices of the second group using the selected other of the search procedures.* Applicants respectfully submit that positively recited limitations of claim 18 are not disclosed by the prior art and claim 18 is allowable for at least this reason.

The claims which depend from independent claim 18 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

Referring to independent claim 20, Applicants respectfully request reconsideration of the rejection. The rejection of claim 20 set forth on pages 7-8 and page 15 of the "Response to Arguments" section of the Office Action fail to identify any teachings in Regan which allegedly disclose the limitations of the claimed *processing circuitry configured to analyze a number of wireless identification devices which may be present within the wireless communications range with respect to a range of identifiers of wireless identification devices which may be present within the communications range.* Applicants have failed to locate any teachings in Regan of these claimed limitations of the processing circuitry.

Applicants respectfully submit that positively-recited limitations of claim 20 are not disclosed by Regan and claim 20 is allowable for at least this reason. Applicants respectfully request reconsideration of the rejection of claim 20.

The claims which depend from independent claim 20 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 32, the Office relies upon the transmission of the IDRQ and TREE messages of Regan to disclose a plurality of search procedures. Applicants have failed to uncover any teachings in Regan that the communication of the TREE messages of Regan identifies the transponders. To the contrary, the transponders only identify themselves in response to the IDRQ message. Applicants respectfully submit that Regan only teaches one search procedure and Applicants

Appl. No. 10/774,146
Reply to Office Action of January 2, 2008

request reconsideration of the rejection since Regan fails to teach selection of one of a plurality of different search procedures.

The Office also relies upon the reply of a transponder in a selected slot as teaching the claimed accessing information. However, Applicants respectfully submit that the reply of the transponder refers to a transponder which is in the communications range of the reader and fails to teach or suggest the claimed limitations of *accessing information regarding a plurality of wireless identification devices which may be within a communications range of the wireless communications reader.*

Applicants respectfully request reconsideration of the rejections for the above-mentioned reasons.

The claims which depend from independent claim 32 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants hereby request allowance of all pending claims.


The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone)

Dated:

4/1/08

Respectfully submitted,

By:


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